

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
CLARKSBURG DIVISION**

STATE OF OHIO, et al., :
Plaintiffs, : CASE NO: 1:23-cv-00100
v. : Judge John Preston Bailey
NATIONAL COLLEGIATE :
ATHLETIC ASSOCIATION :
Defendant. :
:

JOINT MOTION TO FURTHER EXTEND CERTAIN CASE DEADLINES

Plaintiffs State of Ohio, Commonwealth of Virginia, District of Columbia, the States of Colorado, Illinois, Minnesota, Mississippi, New York, North Carolina, Tennessee, and West Virginia, and the United States of America (collectively “Plaintiffs”) and Defendant National Collegiate Athletic Association (“Defendant”), through counsel, respectfully move this Court for an Order amending certain deadlines set forth in the Court’s January 30, 2024 Scheduling Order (ECF No. 116), as amended by the Court’s Amended Case Scheduling Orders (ECF Nos. 130 and 132).

The parties efforts to resolve this matter are reaching culmination, and another extension of two impending scheduling deadlines is needed to afford the parties time to complete their negotiations. Specifically, the parties jointly request a brief extension of Defendant’s Answer deadline and Plaintiffs’ Joinder and Amendments deadline.

Pursuant to the Court’s Amended Case Scheduling Order (ECF No. 132), the deadlines are as follows:

Joinder and Amendments: March 29, 2024

Answer: April 3, 2024

The parties jointly request that these deadlines be extended as follows:

Joinder and Amendments: April 19, 2024

Answer: April 24, 2024, or within 14 days of service of a Second Amended Complaint, whichever is later

The parties are not seeking modification of any other deadlines set forth in the Court's January 30, 2024 Scheduling Order (ECF No. 116), which would remain unchanged.

A proposed entry setting forth the agreed dates for the amended case schedule is attached for the Court's consideration.

Dated: March 29, 2024

Respectfully submitted,

On behalf of Plaintiff States:

/s/ Douglas L. Davis

Douglas L. Davis, Sr. Assistant Attorney General
Office of the West Virginia Attorney General
P.O. Box 1789
Charleston, WV 25326
Ph. (304) 558-8986
Fax. (304) 558-0184
Douglas.L.Davis@wvago.gov

*Counsel for Plaintiff State of West Virginia and
Local Counsel for Plaintiffs State of Ohio,
Commonwealth of Virginia, District of Columbia,
and States of Colorado, Illinois, Minnesota,
Mississippi, New York, North Carolina, and
Tennessee*

On behalf of NCAA:

/s/ Benjamin L. Bailey

Benjamin L. Bailey (WVSB No. 200)
BAILEY & GLASSER, LLP
209 Capitol Street
Charleston, West Virginia 25301
(304) 345-6555 (phone)
(304) 342-1110 (fax)
bbailey@baileyglasser.com

*Counsel for Defendant
National Collegiate Athletic Association*

On behalf of United States of America:

/s/ Maximillian F. Nogay

Maximillian F. Nogay
Assistant United States Attorney
United States Attorney's Office
Northern District of West Virginia
P.O. Box 591
1125 Chapline Street, Suite 3000
Wheeling, WV 26003
Tel: 304-234-0100
Fax: 304-234-0110
Email: max.nogay@usdoj.gov

/s/ James H. Congdon

James H. Congdon
Benjamin Rudofsky
Brendan Sepulveda
Trial Attorneys
United States Department of Justice, Antitrust
Division
450 Fifth St NW, Suite 7000
Washington, DC 20530
Tel: (202) 538-3985
Fax: (202) 514-6381
Email: james.congdon@usdoj.gov

Counsel for Plaintiff United States of America

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
CLARKSBURG DIVISION

STATE OF OHIO, et al.,

Plaintiffs,

v.

NATIONAL COLLEGIATE
ATHLETIC ASSOCIATION

Defendant.

:
: CASE NO: 1:23-cv-00100
: Judge John Preston Bailey
:
:
:
:

CERTIFICATE OF SERVICE

I, Benjamin L. Bailey, do hereby certify that on 29th day of March 2024, I filed the foregoing document titled **JOINT MOTION TO FURTHER EXTEND CERTAIN CASE DEADLINES** using the Court's CM/ECF system which will send notification to all counsel of record.

/s/ Benjamin L. Bailey
Benjamin L. Bailey (WVSB No. 200)